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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE FLASH MEMORY  
ANTITRUST LITIGATION

This Document Relates to:

ALL INDIRECT PURCHASER  
ACTIONS

) Case No. 4:07-cv-00086-SBA

)  
)  
) ~~PROPOSED~~ ORDER APPOINTING  
) INTERIM LEAD CLASS COUNSEL AND  
) LIAISON COUNSEL FOR  
) INDIRECT PURCHASER PLAINTIFFS

) Courtroom: 3, 3rd Floor  
) Judge: Hon. Sandra B. Armstrong  
)  
)  
)

1 The Motion to Appoint Interim Lead Class Counsel for the Indirect Purchaser Class and  
2 Motion to Appoint Liaison Counsel for the Indirect Purchaser Class came on regularly for  
3 hearing on October 30, 2007. The Court, having carefully considered the papers and pleadings  
4 on file and oral arguments of counsel, hereby ORDERS that:

5 1. Pursuant to Federal Rule of Civil Procedure 23(g)(2)(A), the Court appoints  
6 Cotchett, Pitre & McCarthy and Zelle, Hofmann, Voelbel, Mason & Gette LLP as Interim Lead  
7 Class Counsel for the indirect purchaser plaintiff class.

8 2. Interim Lead Class Counsel shall be responsible for the overall conduct of the  
9 litigation on behalf of the indirect purchaser class. Interim Lead Class Counsel shall have  
10 authority to undertake all actions necessary to prosecute and resolve the indirect purchaser  
11 actions, including the authority to conduct all motion practice, discovery, settlement negotiations,  
12 as well as pretrial and trial proceedings. Additionally, Interim Lead Class Counsel shall have the  
13 authority to delegate tasks to other indirect purchaser plaintiffs' counsel as necessary for the  
14 efficient and effective conduct of the indirect purchaser actions.

15 3. Interim Lead Class Counsel are hereby designated as the counsel for plaintiffs in  
16 the coordinated actions upon whom all notices, orders, pleadings, motions, discovery, and  
17 memoranda relating to the coordinated actions shall be served, and defendants shall effect service  
18 of papers on the indirect purchaser plaintiffs in the coordinated actions by serving each of the  
19 Interim Lead Class Counsel above. An agreement reached between defendant(s) and Interim  
20 Lead Class Counsel or their designee(s) shall be binding on all the other plaintiffs' counsel in the  
21 indirect purchaser coordinated actions.

22 4. Pursuant to Federal Rule of Civil Procedure 23(g)(2)(A), the Court appoints the  
23 law firm of Murray & Howard, LLP as Interim Liaison Class Counsel for the indirect purchaser  
24 plaintiff class.

25 5. This order shall apply to all **indirect** purchaser class actions related, transferred,  
26 or coordinated to the above-captioned action.

1           6. All plaintiffs' counsel shall keep contemporaneous time and expense records  
2 indicating with specificity the hours and particular activities engaged in and shall provide such  
3 records to the Interim Lead Class Counsel as directed by Interim Lead Class Counsel.

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5           **IT IS SO ORDERED.**

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7  
8 Dated: November 15, 2007

  
SAUNDRA BROWN ARMSTRONG  
UNITED STATES DISTRICT JUDGE